

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

J. JESUS ARRIAGA-ABONCE,

Plaintiff,

v.

No. 1:20-cv-00113-KG-JHR

RICHARD WILLIAMSON,

Defendant.

ORDER DENYING POST-JUDGMENT MOTION

Pro se Plaintiff filed a Complaint asserting claims for constitutional violations and violations of federal law. *See* Complaint at 1-3, Doc. 1, filed February 7, 2020. United States Magistrate Judge Jerry H. Ritter notified Plaintiff that the Complaint failed to state claims generally because many of the allegations in the Complaint are conclusory and failed to state claims pursuant to 42 U.S.C. § 1983 against the officers of the state court because they are immune from monetary damages claims for actions taken in their judicial and prosecutorial capacities. *See* Order, Doc. 5, filed March 16, 2020. Judge Ritter ordered Plaintiff to file an amended complaint and notified Plaintiff that failure to timely file an amended complaint may result in dismissal of this case. *See* Order at 6. Plaintiff did not file an amended complaint by the April 6, 2020, deadline. Instead, he filed an objection regarding Judge Ritter's participation in this case. *See* Doc. 7, filed April 6, 2020.

The Court dismissed this case because: (i) the Complaint failed to state a claim upon which relief can be granted; (ii) Plaintiff failed to file an amended complaint after being notified that failure to file an amended complaint may result in dismissal of this case; and (iii) Plaintiff's Objection did not set forth any argument or legal authority showing that the case should not be

dismissed. *See* Order of Dismissal at 3, Doc. 9, filed April 10, 2020. The Court entered Final Judgment on April 10, 2020. *See* Doc. 10.

Plaintiff subsequently filed a post-judgment Motion for Summary Judgment which is now before the Court. *See* Doc. 18, filed December 20, 2024. Plaintiff has not filed, and the Court has not granted, a motion to reopen this case pursuant to Rule 60 of the Federal Rules of Civil Procedure. The Court denies Plaintiff's Motion for Summary Judgment because this case remains closed.

IT IS ORDERED that Plaintiff's Motion for Summary Judgment, Doc. 18, filed December 20, 2024, is **DENIED**.

/s/ KENNETH J. GONZALES¹
CHIEF UNITED STATES DISTRICT JUDGE

¹ Please note that this document has been electronically filed. To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the court's PACER public access system.